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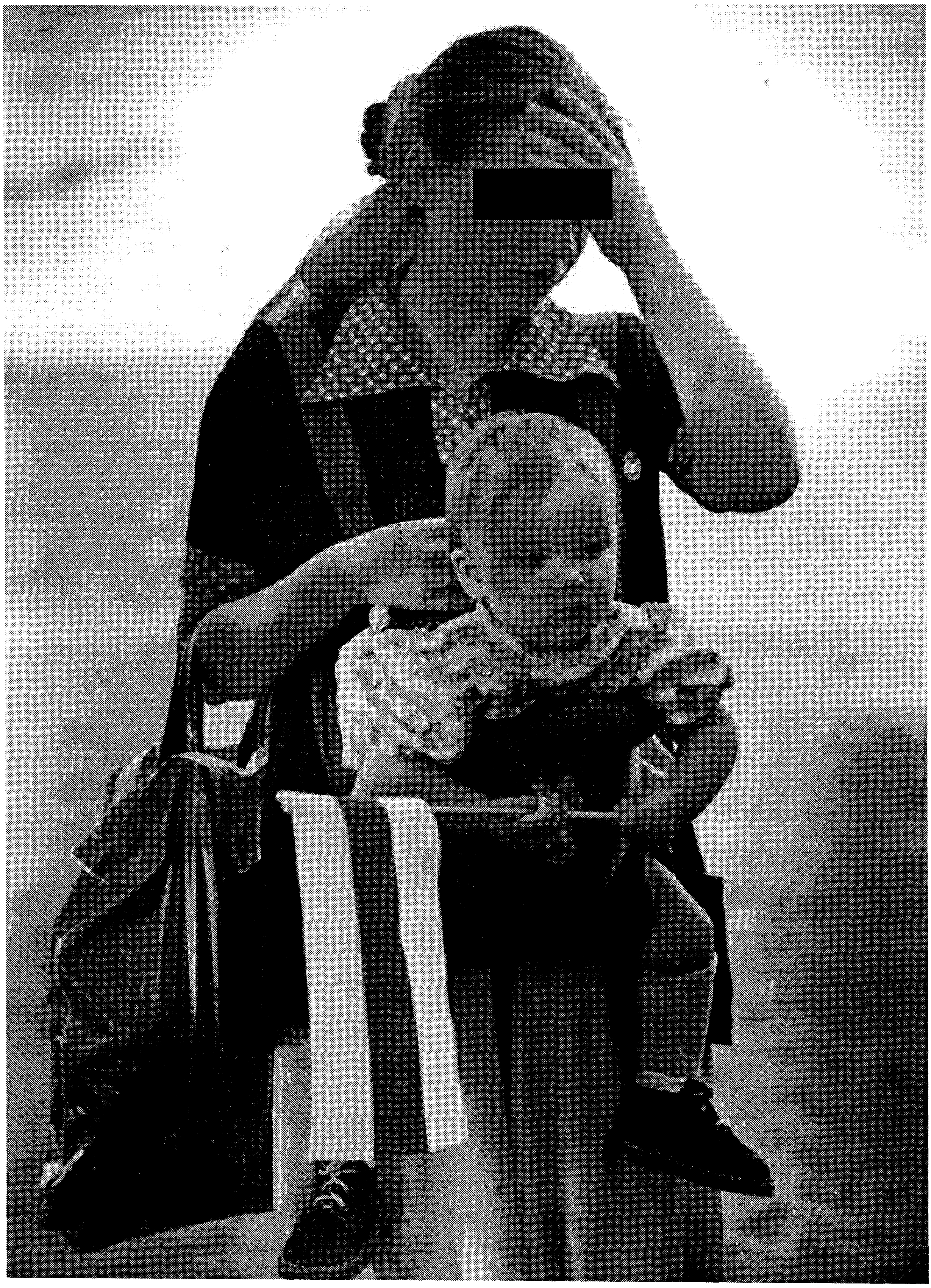
The Right to Freedom

The Bulletin of the Human Rights Centre "Viasna-96"



ORDINARY LUKASHIZM

News coming from Belarus in September 1999 was like summary of operations. Belarusan authorities assumed the offensive; opposition sustained casualties; one of the well-known opposition leaders, acting chairman of the only legal institute of power in Belarus – the 13th Supreme Soviet – Victar Ganchar disappeared; an independent newspaper "Naviny" was closed; an independent newspaper "Imya" stopped to come out;

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CHRONICLE

On 19 September, Zinaida Ganchar, a wife of Victar Ganchar who disappeared on 16 September submitted an open letter to the President of Russia Barys Yeltsin. "I am writing to you as to the statesman who has made an enormous contribution to building democratic society not only in Russia but in other countries which used to be the republics of former Soviet Union, – puts down Zinaida Ganchar, — my husband and his friend Anatol Krasowski were kidnapped on 16 September in Minsk. He is one of the leading politicians in Belarus, acting chairman of the Supreme Soviet. The fates of my husband and my husband's friend remains to be still unknown. Belarusan law enforcement personnel together with official inquest neither in fact undertake any steps to find Ganchar and Krasowski nor those who ordered this crime... I am turning to you with request to interfere and help to put an end to terror in Belarus as well as to help me turn out the fate of my husband."

On 20 September, the USA embassy expressed concern about Victar Ganchar's disappearance. James Fouly, deputy press-secretary of the USA State Department appeared with a statement. The USA State Department's statement says, "Victar Ganchar's disappearance is not the first among the opponents of Lukashenka's regime. Tamara Vinnikava, ex-head of the National Bank, disappeared on 8 April. General Yury Zakharanka, former Minister of Defence, disappeared under mysterious circumstances on 7 May. The whereabouts of Vinnikava and general Zakharanka as well as their fate still remains unknown. United States are deeply concerned by this tendency and how people disappear in Belarus. We call the Belarusan government to make every effort in quest of Ganchar, Vinnikava and Zakharanka's location and to ensure their safety."

(to be continued on p. 6)

TRIAL OVER FREE WORD

ON SEPTEMBER 29 THE LAST OF THE INDEPENDENT NEWSPAPER "NAVINY" CAME OUT

On September 24, Maskowsky court examined the lawsuit, filed by State secretary of the Security Soviet Victar Sheiman against the independent newspaper "Naviny" and journalist Syargei Aniska. The lawsuit was filed soon after Alexander Lukashenka had paid attention to the article and at one of his sittings had ordered to "close the newspaper legally". V.Sheiman had considered that the newspaper "Naviny" in the article "Who lives in this cottage?" (the article describes the house of V.Sheiman's parents in the village of Padlipki, Puchavichy district) had humiliated his "honour and dignity". V.Sheiman estimated moral damages in the following way: 10 milliard roubles should be compensated by the newspaper "Naviny", 5 milliard roubles – by Syargei Aniska, the author of the article (50 thousand dollars total).

The trial began at 10 o'clock in the morning and finished at a quarter to six in the evening. At the beginning the courtroom wasn't big enough for all-public representatives and press, who wanted to be present at the trial. Thus from 10 o'clock till half past twelve OSCE representative in Belarus Christopher Paniko, members of the Belarusan Helsinki Committee and journalists had been waiting in the corridor. The State Secretary of the Security Soviet V.Sheiman didn't show up at the trial. Byarzhanin, the Security Soviet official defended his interests at the trial. In what way did the newspaper humiliate the State Secretary? The article says that Sheiman parents are building a bathhouse, but the representative denies it. One more thing: the newspaper "Naviny" says that it took Victar Sheiman 5 years to become general-lieutenant from a major. The plaintiff enclosed an official certificate saying that it took Victar Sheiman 9 years to become general-lieutenant. The Court in its turn rejected the petition to examine Sheiman's service record from the Ministry of defence. By the way, at the trial the plaintiff's representative failed to explain why the mystery of his rapid career is called humiliation. In the plaintiff's opinion, the fact that there is no fence between Sheiman parents' country estate and the neighbouring one and that the summer kitchen is faced with wood (it was written in the article, but the plaintiff's representative affirms that with it faced with bricks), described by the journalist is considered to be humiliating as well. It was left unclear why all these facts are considered to be humiliating for Victar Sheiman. The plaintiff's representative explained for long that Sheiman takes all his efforts to fight against corruption and the article about his parent's house is unacceptable.

Syargei Aniska, the author of the article, said: "I wish the plaintiff himself had been present at the trial. The talk might have been more obvious. All over the world the description of the official's life is considered to be normal. I hadn't had any intentions to court his money. I didn't write about Sheiman but I wrote about the Sheiman's house. This house may be considered to be subject to unfinished journalist investigation".

"Naviny" deputy editor-in-chief Mikalay Khalezin said at the trial: "by no means we humiliated honour and dignity of the State secretary. The life of such people is also an object of interest for journalists. In the article there are no affirmations that he is a corruptionist and lives beyond his income. The journalist just shared his impressions of the village of Padlipky".

The defendants submitted a number of petitions (vote of no confidence in the court) but all of them were rejected. Judge Savich complied with Sheiman's lawsuit fully. The editorial staff of the nespaper "Naviny" is planning to appeal against the decision in the Minsk City Court.

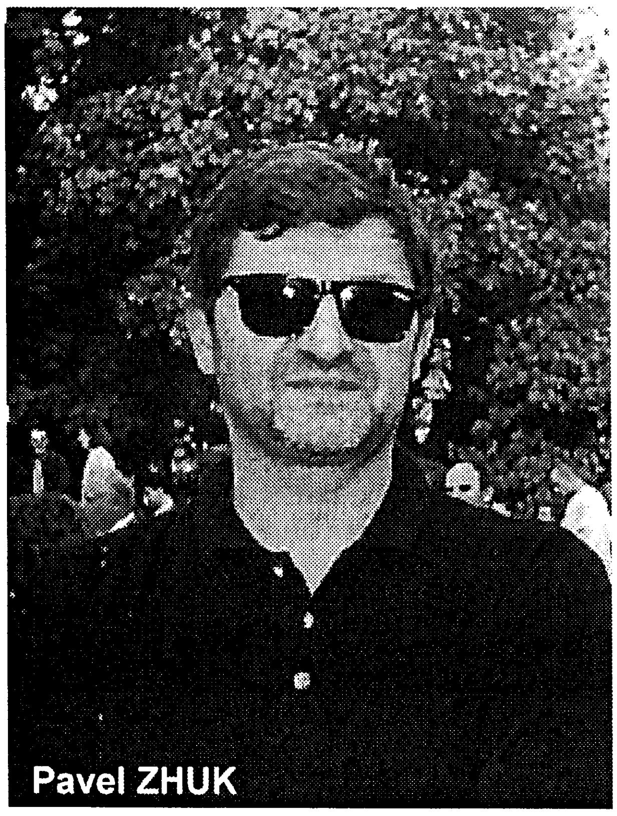
On September 29, the last issue of the independent newspaper "Naviny" came out. The Maskowsky court put the newspaper's property under arrest. The court executive Izaryn came to the printing office and ordered to stop printing of the next issue of the newspaper "Naviny". He also confiscated the newspaper's paper. The editorial staff is planning to issue the newspaper under a new name – "Our freedom".

Palina STSEPANENKA

EDITOR-IN-CHIEF OF THE NEWSPAPER "NAVINY" PAVEL ZHUK COMMENTS ON IT:

— It's clear, that we will loose this trial as any others. Till Lukashenka is at power – it's guaranteed by 100 percent. The article published in our newspaper was far from being humiliating. We had an old project to collect a number of articles on the topic "How people live". The first thing we did was to take pictures of our writers' dachas. But in principle the topic hadn't been worked out. After that we published the article about Sheiman. The facts, described in it, are true to life. The order to suppress the newspaper was issued from high officials as our newspaper was on great hindrance for them. Why? Because it was the only newspaper, which gradually and purposefully was implementing the idea, that Lukashenka is absolutely illegitimate... The article about Sheiman's parents is simply a catch, if there hadn't been, there would have been something else. Quite similar material about the house where Lukashenka's wife lives was published on the following day in "Belaruskaya Delovaya Gazeta". Therefore we can draw a conclusion that in connection with our newspaper they gave short political shift. Currently we are planning to issue the newspaper: "Nasha Svaboda" (our freedom). But local officials had been given an order to do all their possible in order to prevent the newspaper from coming out – it is rejected to be published, to be distributed.

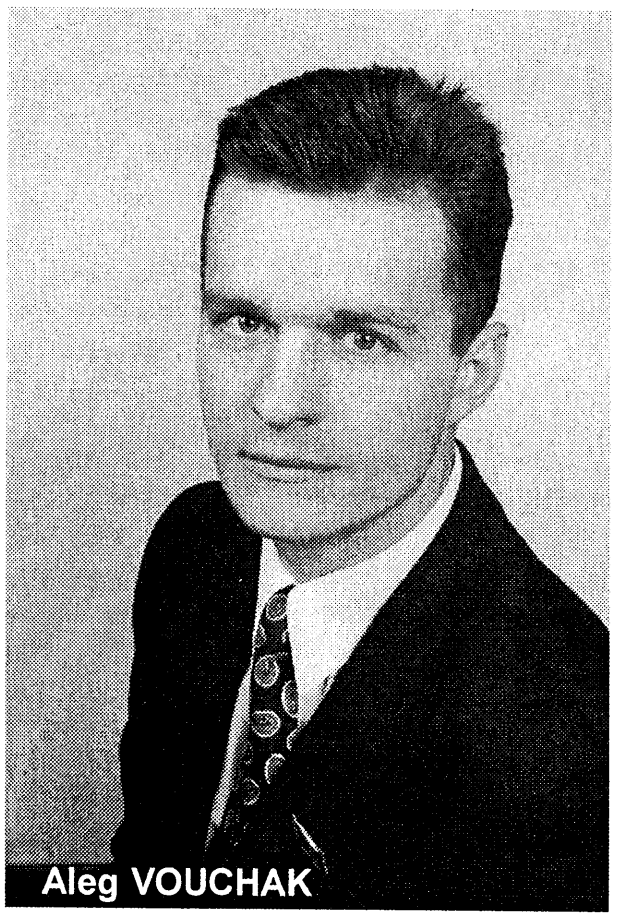
Today we were sent the court decision. Judge Savich had rewritten word by word Sheiman's lawsuit, only at the bottom half of passage is added – "newspapers" "Respublica", "Zvyazda", "Sovietskaya Byelorussia" are to publish the court decision". The judge hadn't brought any new statement. It means that he was ordered to suppress the newspaper. And he did it. Nowadays judges are not elected but appointed by Lukashenka. If the city Court makes a decision not in our favour, we will appeal against it in the Supreme Court, which is not likely to nullity it. We will be forced to give money. But the situation is quite funny. If they put our newspaper under arrest, it cannot exist and consequently it can't give money. It's clear that their task is far from getting money to preserve their "honour and dignity", they simply want to close the newspaper. The total sum makes up 52 thousand USA $. It is a huge one. At the trial I compared it with the compensation (200 USA $) the parents of dead children on Nyamiga May 30 got. The people died because the authorities


Pavel ZHUK

hadn't taken any proper measures. And this very Maskowsky Court refused the parents' lawsuit for compensation. It's clear evidence. Human life is nothing for them. But the question whether there was or there wasn't a bathhouse near Sheiman parents' house is a matter of principle. Though there was a bathhouse shell, it was taken away after the article... Thus, on September 24 in Minsk there was a political trial. The main aim of it was to close the independent newspaper.

ALEG VOUCHAK:
"ZAKHARANKA AND GANCHAR WERE KIDNAPPED BY THE SAME PEOPLE..."

"The Right for freedom" journalist had planned for long to meet Aleg Vouchak, former prosecutor's office investigator, the Minsk City Soviet deputy, head of public organisation "Legal service to people". First I wanted to meet him as Aleg was heading the committee on investigation of disappearance of the former Minister of Defence Yu.Zakharanka, later on July 21 Aleg Vouchak was arrested, was beaten up by the militia and was instituted criminal proceedings against... But I met him for other reason – sudden disappearance of Victar Ganchar...



— Mr Vouchak, you were among the first people who examined the scene of Victar Ganchar and Anatol Krasowsky's possible kidnapping...

— Yes, I was. The public knows the result of our examination. Bloodstains are discovered at the scene. This blood is sent for identification. The remnants of back light glass, which had been collected, are to be sent for identification as well. I believed, official investigation would work more carefully under public and press pressure. But the productivity is arguable – obviously it's hard to say. Currently as far as I am informed, where is no information where Ganchar is and who has kidnapped him. But it's true that the public is worried a lot. I know that initiative groups aimed at searching Ganchar and Krasowsky appeared in Byerastse (Brest) and Gomel regions. Common people themselves put announcement, unite in independent public commissions and are searching all over Belarus...

The authorities are also frightened by its disappearance. Ministry of Internal Affairs and the prosecutor's office are meant. They were taken by surprise when representatives of diplomatic corps appealed to Lukashenka and demanded to undertake objective investigation. There were OSCE and the USA State Department appeals as well. There was a mass "attack" on our government. That's why on September 20 criminal proceedings were instituted: the Minsk prosecutor's office did it under article 101 of the Criminal Code.

When I worked at the prosecutor's office, every time a man disappeared and there was evidence of assault, we used to institute criminal proceedings under Article 101 – "premeditated murder". Only after investigation it will be clear who has kidnapped him and what has happened. But in general, the fact that the criminal proceedings were instituted under Art. 101 is progressive in comparison with the authorities' reaction to Zakharanka's disappearance. In that case they didn't want to institute proceedings under Art. 101. Though the circumstances of the scenario of kidnapping quite the same. I reckon that the same people kidnapped Zakharanka and Ganchar. There is one gang at work. Zinaida Ganchar, Victar Ganchar's wife, was summoned to the prosecutor's office to give evidence. As far as I know the official investigation stresses the money matter and financing. For the authorities it's a good chance to examine Ganchar's financial operation, where and with whom he had connection. As far as I'm informed, such a stand insulted his relatives: they don't search for the man but check his connections.

— Is there any possibility to carry out identification independently of the authorities?

— Unfortunately, identification is carried out by scientific research institutions, though there are lower ones or under other supervision which are competent enough to do it. We gathered pieces of light glass, there was a brake track – we collected dust from the pavement... It turned out that it's hard to identify it independently. With the investigator's order, experts will do nothing. We should have at least the court decision. Nowadays, as far as know, they are trying to find experts abroad. When everything is under one man's command it's impossible to investigate without biased approach. The President appointed the head of the above-mentioned scientific research institution...

— Meanwhile journalist Kavalyova on Belarusan television announced that there had been blood at the scene of accident even earlier...

— ... And there had been broken glass, broken trees and there are broken bushes in every yard... this statement means that people are again started to be hypnotised. I think that TV journalist (as any other journalist) has no right to make such statement. Only investigators are entitled to make statements of that kind. Journalist cannot be engaged in the things he is competent of: when did bloodstains appear – earlier or later... Even experts can't say for sure by now – I believe – they haven't defined yet, but Kavalyova affirms. Obviously, she fulfils an order. The authorities got frightened that our initiative group has found evidence of assault...

— What do you think if there is a chance to find Ganchar, Krasowsky and Zakharanka?

— I don't know. I say as lawyer: we could hope if our Constitution was in action, with powers were separated general prosecutor and minister of Internal Affairs are to be appointed by the Supreme Soviet but not by the President. But as there is no separation of powers, it's hard to speak about independence of the investigation. If to move away from Ganchar case, I was greatly surprised by one fact connected with arrest of entrepreneur Lagvinets and head of Belarusan Metallurgical Plant Feaktsistaw. Every structure followed its own interests: the Ministry of Internal Affairs was strongly against Lagvinets release but the prosecutor's office insisted on it. I read that Lukashenka had formed an inter-departmental commission of the best lawyers and it was to decide whether to release Lagvinets or not... It's nonsense, it's incredible! There is a prosecutor's office which controls and, takes such decisions. There is court... even now I imagine how they are searching Ganchar. Formally they are doing something – but their work is not to be seen because being an investigator I can assume that they are doing nothing. When I came to the scene of disappearance for the second time I saw that the official investigation didn't examined the scene properly. If we are to estimate it... Because if any territory is to be examined, it has to be combed thoroughly, all microelements are to be gathered all glass is to be collected. But there was complete chaos there! They took pictures at night but in the daytime they didn't. It had to be done, otherwise it won't be precise. I sent my pictures to the "Amnesty International" for them get

(To be continued on p.4)

"ZAKHARANKA AND GANCHAR WERE KIDNAPPED BY THE SAME PEOPLE..."

(Continued from p.3)

acquainted. By the way, the "Amnesty International" is preoccupied, as it is not the first case of disappearance. They sent me a letter. They write that they have already sent documents to the special UN commission. The UN instituted proceedings on the fact of Zakharanka's disappearance and currently of Ganchar and Krasowsky's ones as well. The UN representatives assume that they face negligence and confusion in respect of Belarusan authorities.

— Is it possible for UN representatives to come to Belarus to carry out their investigation?

— The commission is due to arrive in November – December. This problem had been worked out. It has to have access to custody centres, prisons and the authorities are said to sign permission but now we judge from the press that their arrival is postponed. We have the OSCE mission and it reports about the situation in the country. If the UN commission comes, Lukashenka will face difficulties in explaining the violation of human rights in Belarus. That's why the authorities will try to postpone its arrival by all means.

— Were there any cases in your practice when people disappeared without any traces or they were taken as hostages?

— Annually about a thousand of people disappear. 200 – 300 are found later, but 500 – 600 cases are left unresolved. The circumstances and reasons are different. When I worked at the prosecutor's office, problems with people disappearance were the most aching and urgent. In fact when people disappear, they are reported in the account. And if to institute criminal proceedings, under Art 101 of the Criminal Code on each case of disappearance, annually there will be 600 unresolved criminal cases. It's not beneficial. That's why they refuse to institute criminal proceedings in most cases. The UN commission, which is due to come, can find a lot of such cases and Ganchar case is not the only one to be investigated. You know that the respect to our investigators is declining even among criminal organisation. For example, Shchavlik, criminal authority ("legal cri-minal") disappeared a year and a half ago, Shulay – the criminal authority as well – was killed under mysterious circumstances: the car blew up. It's a very strange accident and as far as I'm informed, the criminals have nothing to do with it.

I've got an impression that indeed there is a "black troop" about which A.Patupa, publicist and observer wrote and which wipes out not only opposition leaders. They are aimed to provide peace to one authority...

— Among those 200 – 300 disappeared and who are eventually found, are there any alive ones?

— It's hard to say. Every time the situation is different. It happens that people appear themselves. For example, from a business trip. Or girls who went to dance abroad in certain institutions and "disappear" for a year. There are such cases. It happens sometimes that an old woman went alone to the forest and on her way she had a heart attack. Till her corpse is not found – no information about her. Some people go to Russia to make money and don't phone their relatives. Of course there are grave crimes. First of all they are related to housing problems: people are killed in order to live in their apartments. Unfortunately, from year to year the work of criminal investigation of such cases is getting worse and worse. There are no high-professionals. I used to investigate murder cases. I believe you hear about the girl's disappearance and she was found in Belgium. It was in 1996, it was reported in press. The disappearance of the boy was reported as well and it turned out that he had been raped and murdered by a maniac. There was such a case. The fact that the professionalism of investigators is rather low, worries the Ministry of Internal Affairs and the KGB as well. Only in KGB the personnel is more or less stable.

— It's not a secret that in 1996-97 all state institutions were so-called combed. Did you resign yourself or you were asked to do it voluntarily?

— I resigned myself because my decency and conscience were at stake. I don't want to be told one day: you worked for this system and charged innocent people. I saw the prosecutor's office doing service to the authorities. In 1994-95 it was possible to work, in 1996 till autumn but later... that's why in 1998 I resigned. Me and the city prosecutor Kuprianow were on strained terms. My career was blocked by all means, my colleagues used to say: you criticise the authorities, they don't need you. I left and established my own little prosecutor's office – "Legal service to people". We help people. We make up lawsuits, defend them in court. We have served about 300 people.

— What legal problems are the sorest for people?

— Basically housing problems. They are ranked first. Then come problems with inheritance. Very often we give assistance to pensioners and invalids. People have got a lot of problems with social guarantees. Different personal problems are placed fourth. There are a lot of complaints on state official executives, complaints connected with labour matters, often with the law enforcement agencies. People complain a lot of the prosecutor's offices, courts. People point to inefficiency, prolonged cases, corruption when "everything is bought". Having worked with people I have got a strong impression that people are dissatisfied with the current authorities. It's, of course, bad. If our authorities work for one year more in such a way, the legal nihilism will be boundless. It will result in disobedience, distrust in justice. The authorities should have prestige as we can observe abroad. Lukashenka would better go and see. But no one invite him to democratic states, he is not eligible to leave the country.

— Will you tell us if there is any continuation of the criminal proceedings, instituted against you this July?

— Yesterday I together with my solicitor Vera Stramkowskaya went the Maskowsky prosecutor's office where we had agreed to meet with the district prosecutor later. But we failed to meet him. During his working hours the prosecutor went somewhere. It isn't cleat whether he didn't meet us or he had some problems indeed... But the investigator informed us that the case had been prolonged for a month in connection with some investigation to be carried out. It turns out that the investigation has been prolonged for 3 months. As we got to know there is no reaction to my complaint. The militiamen who beat me are working and were not taken any measures against. That's all with criminal case. Yesterday there was a trial over administrative case for participation in the meeting on Independence Day, July 27. I indeed was at the meeting at 6 o'clock in the evening but I didn't participate in it, didn't march as it's said in the "fitted' reports. When the militiamen were being questioned in court, they explained that they had been ordered to make such reports.

— Do you know surname of those people?

— I know – Yukhnovich and Kirvashevich, Savetsky District divisional inspectors. It so happened that the judge being even biased towards me, failed even to give me a warning. And she terminated the case. I had observed serious violations of legal proceedings earlier but in this case I had to deal with personally...

Interviewed by
Tatsiana SNITKO

The column "Realities of our life" is to be found in almost every issue of "The Right to Freedom". Unfortunately, our current situation gives a rise to a lot of topics and plots, devoted to one and the same problem: "a common mortal"; an ordinary citizen is abused by the authorities and his basic rights are violated. We can only add that every story, we write is not exceptional, just on the opposite, it's ordinary and gives up-to-date idea of the state of things.

A HUNDRED KILOGRAM OF POTATO

REALITIES OF OUR LIFE

"My name is Ulasenka Maryia Rygorawna, I am 70, a widow. I had been keeping silent for many years, had been afraid of complaining, of our local authorities. But I can't stand it any more. I've got two options whether to commit suicide or to leave the farm. All my neighbours wonder and sympathise with me.

I've lived in the village of Ebeny, experimental base "Lubanshaya" Luban District since 1953. My husband, a war participant, died early, when I was 37. I was left alone with 5 children, an infant in arms among them. I have brought them up alone, I did all my best. Now I am in a bad condition, suffer from different illnesses. I have always lived alone, I didn't get married for the second time as I thought it would do harm to my children.

I'm writing and my eyes are full of tears. Sorry for mistakes if any I'm semiliterate, the war deprived us of it... But I believe you will understand me. Now I am describing my conflict with our head of village soviet M.M.Vyarowka.

After graduating from the institute he came to our village to work as a teacher together with his wife. He worked and walked to the village of Zhaly. There was not any empty apartment at the farm but I had a big brick house with two entrances. He was suggested to ask me to let him a room. I agreed and gave half of my house to his disposal. Later he turned out to be rude and I insisted on his leaving the house. Till he was working as a teacher he couldn't pay back, but now he is a head of village soviet. My life has become unbearable. I didn't ask for his assistance: neither I ask for wood nor for briquette. I do by my own means.

So last year was wet and I didn't have any potatoes. The potatoes had been picked on the field of the ex-base and people used to repick them. The crop had already been gathered. I together with my neighbour Khadnevich Yulia Mikalaewna went there to gather some potatoes, which had been left. We had 3 little bags: the potatoes were green, frost-bitten as it was freezing. There were many people: from our village and from Luban as well. Suddenly our head of village soviet and head of ex-base came, they took our bags into cars and left. There was one more woman Tsetsyaruk Nina with grandchildren and potatoes had been confiscated as well.

But as a result I was the only to be punished... I launched a complaint to the Regional Prosecutor's office, here is their reply. Everybody repicked potatoes but I was the only to be fined. But my pension is enough to buy bread, milk and medicine. In the farm a lot of potatoes were left on the field, even crop had not been gathered from 2 fields at all. Billions was left in the ground but I was the only one to be charged and punished".

Minsk Region Prosecutor's office replies to Ulasenka: The Minsk Prosecutor's office has examined your appeal against groundless administrative accusation.

The examination proves that on 24.10.99 you stole 100 kg of potatoes, total sum 1.000.000 roubles from the field of ex-base "Lubanskaya" near the village of Bayany, Luban District. The evidence of the administrative case supports it.

Your statements that the crop had been already gathered didn't turn out to be true.

Head of ex-base "Lubanskaya" Ioshka I.I. and head of the executive committee of Sasnowsky village Soviet Vyarowka M.M. were interrogated and testified that on 24.10.99 the crop had not been gathered on the abovementioned field.

Taking into consideration all the details, the Luban District Court decision from 23.11.98 on your administrative responsibility under art. 51 is to be grounded and legal. There are no grounds for appeal. The decision may be appealed in the Minsk Region prosecutor's office. Head of department of general supervision V.V.Dzmitryiew".

I hope you understand from the letter and from court decision what the problem is: a village old woman was punished for re-packing potatoes on the public field. She wasn't alone but she was the only to be punished. And she can't put up with this injustice. As we see it's a petty case, but the results are far from being irrelevant. It's a small case, which reflects the whole state of things. Let's point to some nuances.

Firstly, head of village soviet is not likely to be very important person in the village. Little had depended on him but now even less. Nevertheless, he has got some powers. If he wants to make your life "happier", he will. Take the distribution of fuel, for example. Ulasenka couldn't have foreseen that an ordinary conflict could have made her life unbearable. May be, she forgotten that the power doesn't improve a person, even sometimes vice versa. But it's not so important in this case. The thing is, in a village, any head: important or not so important can do whatever he wants. He can refuse fuel, fine, put in prison, make do something. And all that is legal. Even if he caught led-handed (it's hardly possible), he will get off the punishment. Because his district officials expect him to act in exactly the same way: they live under the motto: "hold and don't let loose". The President himself demands it from his team, doesn't he?

Secondly. When the prosecutor writes in his reply to the pensioner that head of ex-base and head of village soviet had been interrogated, he put himself in a ridiculous state. According to him, the one who detains becomes a witness. Where are the others? Why didn't they interrogate them? It is possible to rely on the interested persons' evidence? It's quite similar to the act of Minsk court towards the opposition. In this case the main witnesses are militiamen. Those, who beat women, and teenagers, those who are to be charged with power abuse. Meanwhile, head of "Lubanskaya" ex-base is to be brought to trial. I stress that he affirms that on October 24 the crop had not been gathered on the fields. Let's recollect last year it was freezing hard at that time and there was snow. Why did they fail to gather it? The prosecutor's office didn't pay attention to it. If it had been ordered from the above to put two or three official in prison, they would have done it.

Thirdly. The Country and its village and its village population in particular are becoming similar to those of 30s. There is only one slight difference: you could have been put in prison at that time (or shot), but today if you lucky, you can pay a fine. But the basis of those repressions and the current ones is identical. We have to wait till they are identical not only in the basis. In any case, the things are working out in this way. For example, the crop is worsening from year to year. It means we should search and punish those who have to gather crops on the fields lest they would die of hunger...

It goes without saying that Ulasenka failed to find justice (and she will not). Our judicial bodies as well as other ones work in our country only in one direction: to suppress any protest, to destroy any disloyalty to the regime, which serves to them and which pays to them.

Andrey SYARZHAN

EVENTS FACTS COMMENTS

(beginning on p.1)

On 22 September, Zinaida Ganchar and Iryna Krasowskaya, the wives of Victar Ganchar and Anatol Krasowski disappeared on 16 September, as well as Katsyaryna Antonic, V.Ganchar's secretary, and Yawgen Lychow, V.Ganchar's driver, were called witnesses to the Minsk Prosecutor's office.

On 23 September, court hearings of administrative case instituted against Aleg Vouchak, former investigator of the Prosecutor's office and actual chairman of non-governmental organisation "Legal service to population", were held in Minsk's Moscow district court. Aleg Vouchak was brought to book for taking part in a meeting on 27 July (unofficial Independence Day). The court terminated the case for a lack of corpus delicti in Aleg Vouchak's actions.

On 24 September, Bronislaw Geremek, head of the Ministry for Foreign Affairs in Poland, addressed with open letter Ural Latypaw, minister for Foreign Affairs in Belarus, and Belarus vice-prime minister. The letter was written because of Victar Ganchar's disappearance, acting chairman of the 13th Supreme Soviet. The letter said that Victar Ganchar's disappearance caused deep concern in Poland. Bronislaw Geremek in his letter also expressed readiness to give any information and help needed in order to clear up the fact of Victar Ganchar's disappearance.

On 26 September, informational agency France Press reported that Lithuania authorities strengthened the guarding of Syamion Sharetski, chairman of the 13th Supreme Soviet who has been in Vilnius since June 1999. On 23 September weekly magazine "Veidas" published confession of professional sharpshooter who said that two Russian speaking men proposed him $ 100.000 for Syamion Sharetski's murder. In his interview to France Press Syamion Sharetski said that the governing body of the 13th Supreme Soviet "seriously considers the possibility of forming Belarusan government in exile."

On 18 September, a phone connection was turned off in the headquarters of the Free Belarus trade union, which is located on 24 Zakharaw St., Minsk. On 19 September there a search was conducted in the headquarters guided by divisional inspector. The reason of search conducting was ... a mined office of trade union. But it was conducted in vain. The militia found nothing but confiscated agitation materials. On 28 September the location was again "visited", but this time by four representatives of financial inspection who demanded to produce papers without the right to do it. On 29 September 24 militia men blocked a car, which was to go to Orsha with literature about trade union movement and stationery, near the entrance to the headquarters at 19.00. There were Eva Savicka, expert of Warsaw office of American Centre of International Solidarity of Workers, interpreter Liudmila Kaplunik and driver Ales Kruchynin in the car. Simultaneously, they encircled the building where the headquarters of the Free Belarus trade union is located motivating it again by information they got about mine in the building. The militia moved people living in a house No 24 Zakharaw St. out. Militiamen obeying the order of men in civilian clothes carried a search in the building but again found nothing. After that militiamen twice searched personal belongings of trade union's staff. But they again found nothing. Consul of Republic of Poland was present while militiamen searched the car.

These fact are evidence of authorities' concern about trade unions' activity and about theirs intention to held actions of protest in the biggest cities of Belarus on 30 September.

In September the prosecutor's office of Minsk's Maskowsky district prolonged the inquiry of Aleg Vouchak's case up to three months. Criminal case was instituted against Aleg Vouchak after opposition held an action devoted to the expiry term Lukashenka's presidential office.

In September collegium on criminal cases of Gomel oblast court confirmed court's verdict brought to Yawgen Murashka, chairman of the oblast election commission he used to head when the presidential election campaign was held (16 May 1999). The criminal proceedings were instituted against him after a meeting of Gomel inhabitants with the chairman of the Central Election Commission Victar Ganchar. On 18 June 1999 Central district court of Gomel charged Ya.Murashka with repeated breaking an order of organising and conducting mass actions and brought a verdict to him which was one year term of suspended sentence.

On 30 September the newspaper "Narodnaya Volya" published an open appeal-letter written by Victar Ganchar's mother which said, "I appeal to law enforcement personnel of the Republic of Belarus: I will pray for you the rest of my life. I beg you to help me in my grief! I apply to you, Mr. President, to recall my kindness, simplicity and my hospitality regarding you. I beg you to help me to return my son back!"

ORDINARY LUKASHIZM

(beginning on p.1)

entrepreneurs went on strike without time limit; trade unions are preparing for mass actions of protest... and again reports, which became usual long ago, about arrests of participants of organised by opposition meetings and rallies.

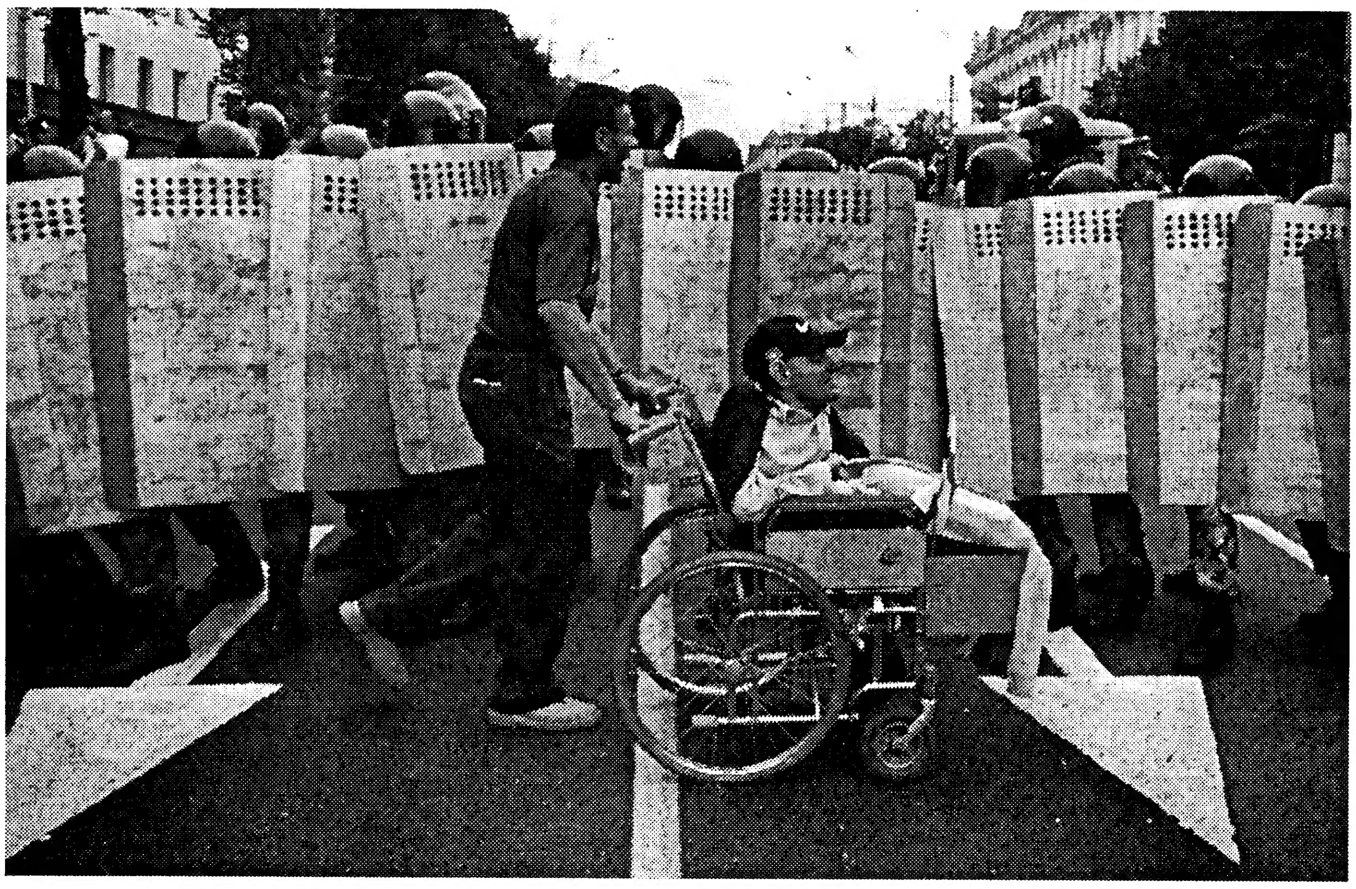
This fall promised to be hot. It became clear that people's belief in endless promises of the near better future is coming to the end. Time is going but living conditions are getting worse and worse. And what is more, no prospects one can see under the ruling of this president. People understood it already. Special agencies in presidential administration dealing with monitoring of public mood sounded the alarm. How could A.Lukashenka respond to it? Only by further "turning nut". A series of edicts and decrees was issued to frighten and hold people in check. One of such decrees aimed at strengthening working discipline and introducing a contract system on state enterprises was directed first of all against "grown bolder" workers and employees. Another one aimed at preventing emergency happenings during mass actions was directed against actions of mass protest and so on. It's nothing that these decrees and edicts violated human rights. Everything was subjected to one aim: to frighten people.

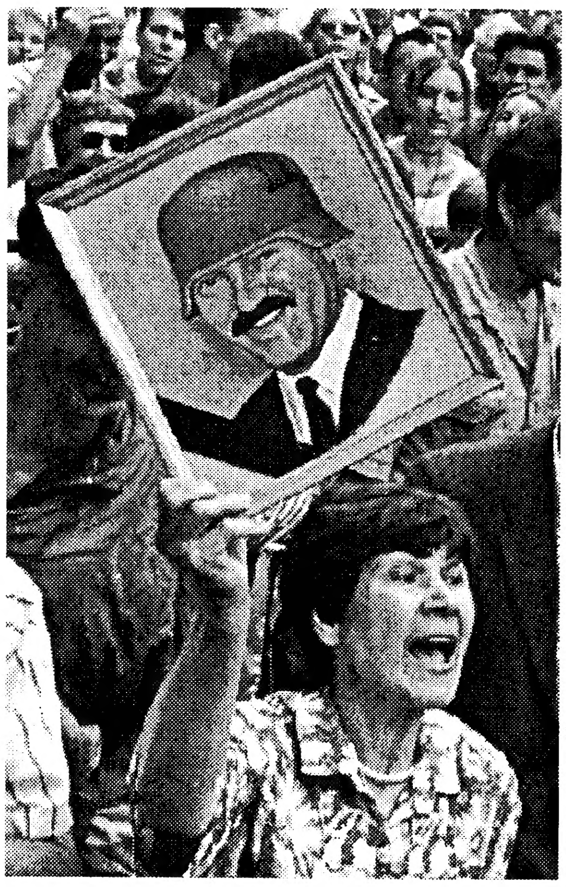
Simultaneously, attack on opposition began. A split of the Belarusan Popular Front which took place in September, Syamion Sharetsky's emigration to Lithuania, closing of the most important opposition newspaper "Naviny" and, finally, Victar Ganchar's disappearance... The latter stands out significantly. Because it is the question of man's life and death... Moreover, this case was not first in this year. This spring Tamara Vinnikava, ex-head of the National Bank, and Yury Zakharanka, former Minister of defence, disappeared. The authorities appear to like this game: "there is a man – there is a problem, there isn't a man – there isn't a problem..." It is terrifying because the question "Who will be the next?" is getting real...

Everything aforementioned has taken place while the Organisation on Security and Co-operation in Europe tries to solve confrontation between opposition and authorities. Now even the most persistent supporters of dialogue between authorities and opposition appear to be aware of Lukashenka's desire to preserve his power. It is clear that he will do his best to keep his power safe. No legal procedures and one hundred thousand meetings of protest will force A.Lukashenka give up power. If A.Lukashenka feels real threat to his power he won't be stopped by anything to preserve it and no statements of international community and particularly those of the OSCE won't stop him... Lukashenka's main question is the question of power. And his words "I've come for a long time and seriously" are obtaining today real and tragic for Belarusan people meaning.

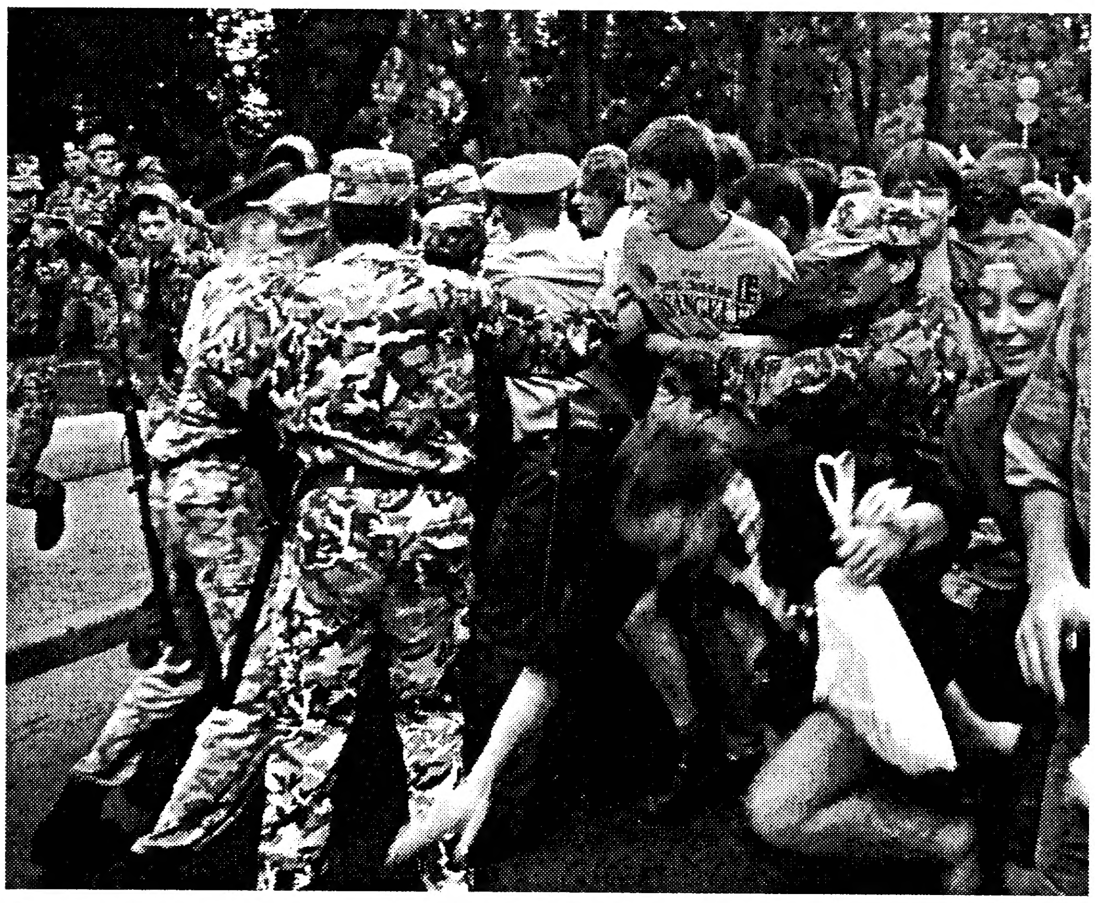
The mankind has learned Fascism, Stalinizm and Maoizm in the 20th century... And we don't want this list to be continued by another word, which is Lukashizm.

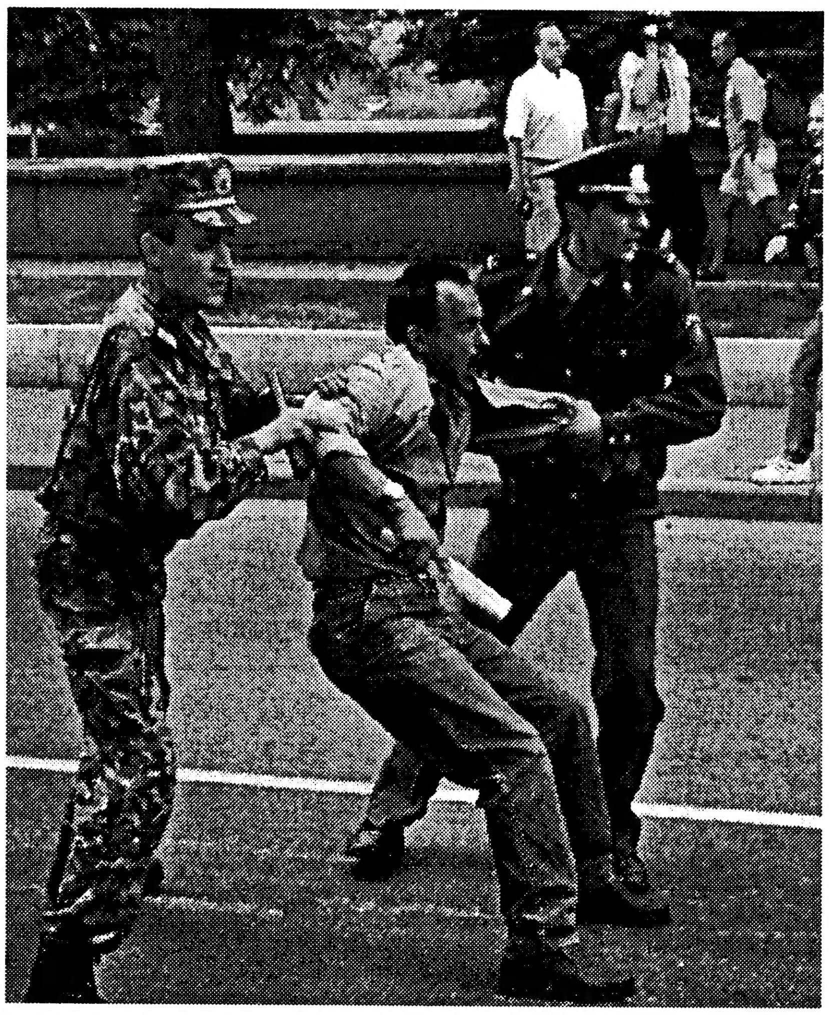
Andrei NALIVA





THE END OF THE SUMMER END BEGINNING OF THE FALL IN BELARUS





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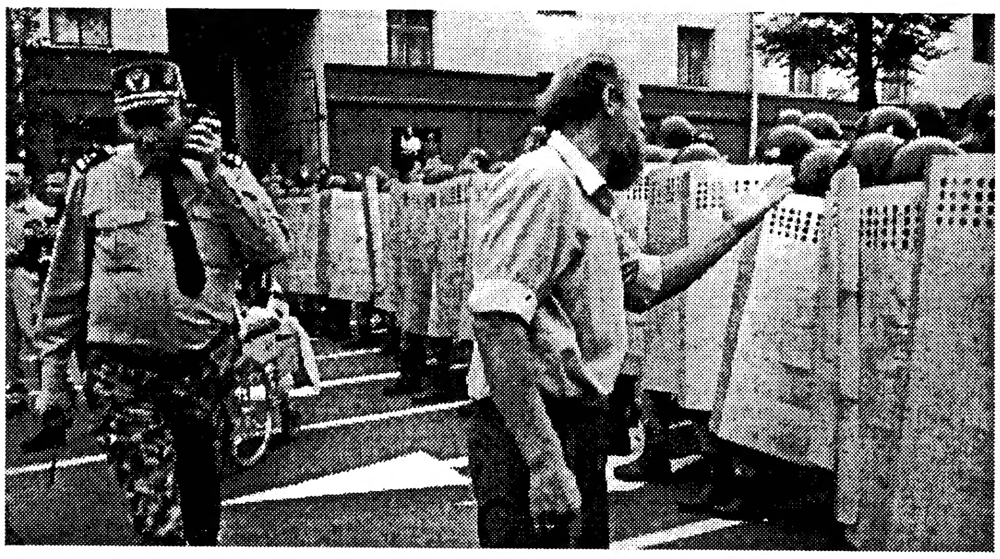

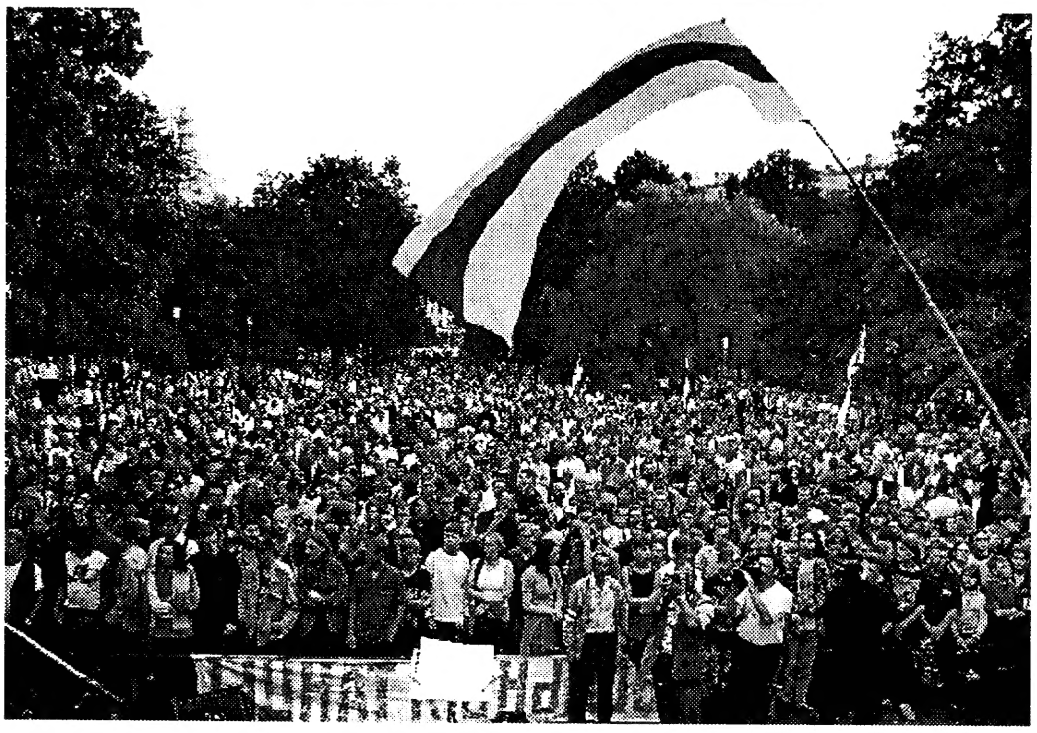

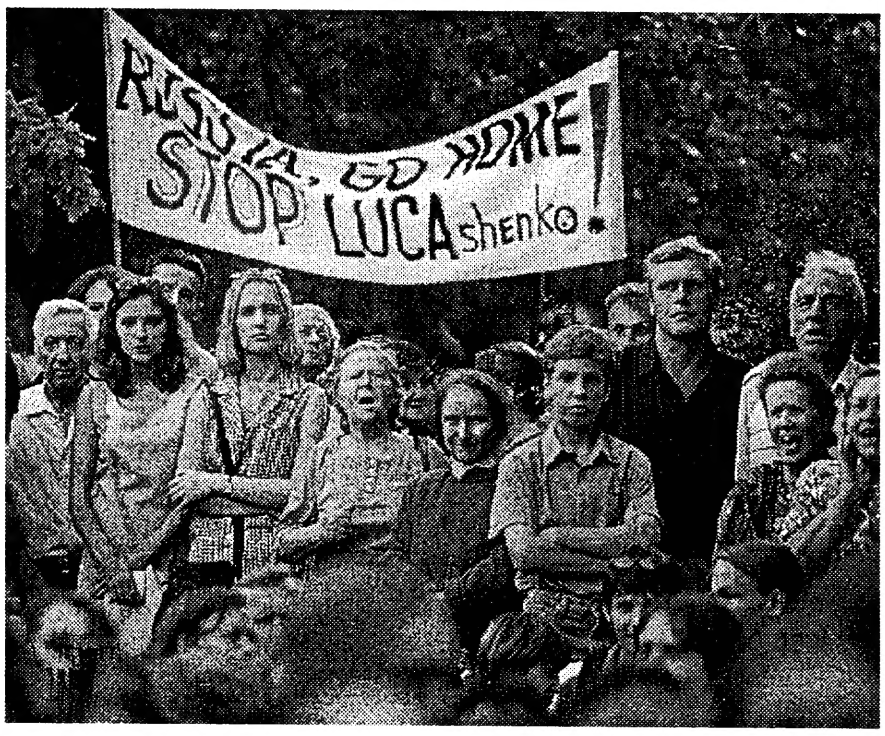
RUSSIA, GO HOME!
STOP LUCAshenko!

ALYAKSEI SHYDLOWSKI

EIGHTEEN MONTHS IN HELL

My friend's name was Zmitser. But why was, he is called Zmitser. The thing is: he is there, but I am here.

The man who had been charged with taking a bribe and the investigation had failed to prove it – got eight (!) years. He has done 4 years and 4 years are left. Thanks to him and his culinary skills I could eat something delicious almost every day, sometimes even as tasty as food from outside. I had someone to listen to and what is more important I had someone to speak out and he understood me. Rather often we talked in the Belarusan and it was like balm for me...

Nowadays being at liberty I do my best to write to him as often as possible, to help him somehow to overcome this black period in his life. On the day of Zmitser's release, I, if I am alive, I will come to the prison's gate. Zmitser, I remember you, hold on!

When autumn came, I used to be in a bad mood: I was seized with great depression. Maybe the roots were in cold rainy weather or I had nothing to hope for. Except the day of release. I began to loose weight, though I seemed to have nothing to loose. I got to drink a lot of strong tea and to smoke. Throughout the daytime I was marching in the prison yard smoking and dreaming. I wanted to imagine what liberty is. At that time I wrote such lies:

Not a single day without nostalgia
Not a single day without a dream
My dreams are about liberty,
I took into the clouds,
As if there is soda on lips
Rainy and gloomy landscape
Freedom, stop for a moment
Tell me, what you are like...

Autumn passed and New Year came. Some days earlier I had celebrated my 20th birthday and had got about 30 greetings and as it became clear later I hadn't got about 20 as they had been lost on their way from censors to our barrack.

A New Year night the administration allowed to have a party till 2 o'clock in the morning, everyone was glad, we were eating self-made cakes, smoked cigarettes which we had stored earlier. There were 57 days left to my release.

A new detachment commander, lieutenant Malyukow treated me rather well. He allowed me to take plank bed on floor the second but not on the third one and even intended to permit an extra parcel to be passed but having realised that he would have troubles afterwards, gave up this idea. He was a terrific commander. He didn't go with all the rest militiamen. Why? He didn't wish evil to me. The only one. As to the rest: head of 15/1 I.I.Bakhur, deputy Yu.V.Zhogal, militiamen V.A.Garbatsevich and Ya.A.Los would have taken their revenge in any suitable case. They were restrained by a possible conflict, I believe, their friends with whom they are lovely and nice would start if they knew about it and would doubt: "How could such lovely militiamen be beasts at work?" It's true, without any doubts. I'm interested in one thing: How do they behave at home, with their wives, children? Do they reform and mock at them as well? I don't want to cite example, which discredit them as officers. Let it be on their conscience...

On January 1 law on amnesty of certain categories of people was came into force. Thanks to it I could be released a week or some days earlier... Of course it was important for me but I had written 3 applications in which I refused amnesty and gave them to the head of prison. It was a matter of principle: I didn't need such a tip from the authorities.

The things were sorting out as I had thought. On February 17 they published lists of those people who were to come to the commission on amnesty and it goes without saying I wasn't among them. But on February 18, at 12 o'clock a militiaman came to our barrack and announced that he had been ordered to convoy me to the commission on amnesty. My refusal and warning of the illegal nature of such actions didn't work and I was convoyed to the hall. As I got to know the commission had finished its work but they had to stay only to grant me an amnesty.

Regardless of my protest, I was read Art. 9 of the law on amnesty and was told that it had been applied to me. After that they were trying to persuade me to sign the amnesty and in reply I wrote a complaint to the Minsk Prosecutor's office.

The last days were passing slowly. I could be released on any day but as the detachment commander told me – near the prison gate there was a supportive group from "Malady Front" they were expecting me but the administration had been ordered to prevent this meeting. Thus I had to observe who would win "Malady Front" or the administration. I could be of no help in it.

Eventually, more experienced prison authorities won "Malady Front" by dishonest means. At about 12 o'clock on February 23 one of the officials had come up to the members of "Malady Front" and had said that no one would have been released on that day. Having heard in reply that they would stay in any case, he said with a false compassion: "Children, you'd better go and eat something. You are standing here in rain..." Hardly had they gone to have a snack, I was ordered to pack belongings in a 5 minutes' time and to get out of prison

I was slow as I could be but nevertheless at the moment of my release there was no one to meet me in front of the prison. It should be added that before my release I had been searched thoroughly and some prison things, my picture in prison, the copy of complaint over the deputy head of the prison had been confiscated. Everything that I had planned to give to journalists. But they had failed to find the most important things: my three prison diaries were at liberty. There is everything in it: poems, recollections, and chronology. Thus I got out of prison and saw nobody... suddenly I heard a cry: "Liosha!.." I turned around and saw my mother. She was the only one left to wait for me. At 12.45 on February 23 I took off prison clothes and became free.

It's the end of my story connected with graffiti. And now after the release I can say once again: I have nothing to feel sorry for...

VI. AFTERWARDS...

Afterwards there was a feast, organised in the BPF headquarters, several dozens of interview with journalists, radio and TV journalists, meetings with friends and old acquaintances. My imprisonment had been a good check-up for some of them. Some people denied that they had known me earlier, some people did their best to support me, and some were indifferent. In any case now I know with whom to shake hands and what everyone is worthy of.

At the District Department of Internal Affairs I was told to behave properly for a year otherwise I will be sent back to prison.

Liberty greeted me with unpleasant news: I was dropped out of the University and had no right to live in the hostel.

But there are kind people in the world. Now I have where to live, I have a job and I will begin my studies in autumn.

Everything good is ahead of me as I have had so much misfortunes, which are left behind... I had hope for the best behind bars and have never lost it. Good times will come. I believe, I'm sure.

А. Шыдлоўскі.
Студзень-Менск.

(Continuation.
Beginning in №№ 31-34, 36-41)

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